



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES  
STATEWIDE COORDINATOR FOR SPECIAL EDUCATION  
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TO: District Superintendents  
Superintendent of Schools  
Presidents of Boards of Education  
Superintendents of State-Operated and State-Supported Schools  
Executive Directors of Approved Private Schools  
New York City Board of Education  
Organizations, Parents and Individuals Concerned with Special Education  
Commissioner's Advisory Panel for Special Education Services  
SETRC Project Directors and Professional Development Specialists  
Regional School Support Centers  
Impartial Hearing Officers  
Mediators  
Other State Agencies

FROM: James P. DeLorenzo

SUBJECT: Chapter 378 of the Laws of 2007: Conforming State Law to Meet the Requirements of the 2004 Reauthorization of the Individuals with Disabilities Education Act

New York State (NYS) Education Law has been amended, effective June 30, 2007, by Chapter 378 of the Laws of 2007 to conform to the Individuals with Disabilities Education Act (IDEA 2004) and the final federal regulations to implement IDEA 2004. A copy of Chapter 378 is attached. In addition to extending the provisions of Chapter 352 of the Laws of 2005 and Chapter 430 of the Laws of 2006, Chapter 378 also includes amendments relating to:

- students with disabilities attending Charter Schools;
- students with disabilities enrolled in nonpublic schools by their parents;
- definitions of "related services" and "transition";
- agreements between a parent and a school district regarding:
  - attendance of committee on special education (CSE) or committee on preschool special education (CPSE) members at meetings to develop a student's individualized education program (IEP);
  - changes to an IEP after the annual review meeting; and
  - three-year reevaluations.



- who can make a referral for an initial evaluation for special education services; and
- due process procedures.

Additional guidance regarding these changes will be issued in the fall. To ensure dissemination to appropriate individuals within a school district, I request Superintendents to please share this memorandum with other individuals such as Building Principals, Directors of Special Education, School Psychologists, CSE and CPSE Chairpersons, Guidance Counselors and Directors of Pupil Personnel. Questions regarding this memorandum may be directed to the Special Education Policy Unit at 518-473-2878.

Attachment